REMARKS

Reconsideration of the above-referenced application is respectively requested in view of the above amendments and these remarks. Claims 1-12 and 14-38 are currently pending.

Claims 1-12 and 14-38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 6,012,100 to Frailong in view of United States Patent No. 6,285,667 to Willars et al. Applicants have carefully reviewed the cited references and the arguments presented in the Office Action and respectfully traverse the rejection. Applicants have fully described the present invention, the claims and how they are not anticipated by Frailong, and these descriptions arguments are incorporated here. After the Appeal, it is acknowledged that Frailong does not disclose that the service delivery element is within the communication network where the service delivery element includes at least one internal interface to couple the service delivery element to other devices within the communication network.

Willars is now cited to state that it is known to have a service delivery element with an internal interface, and that the present claims are obvious by combining this feature of Willars with Frailong. Applicants, however, respectfully assert that the combination still fails to disclose, teach or otherwise suggest other elements of independent claims 1 and 22. As stated in the appeal, the claims include a service delivery element that is internal to the communication network, provides the security function within the communication network by negotiating a security level between the feature server and the communication network and provides a secure interface between the communication network and the external feature server. Citing a reference to show a service delivery element that is internal to the communication network is not sufficient to overcome all the differences between the Frailong and the claims.

As stated previously, Frailong's gateway interface device, which is external to the communication network, is equated to the claimed service delivery element. But the gateway interface device is not the only element required from Frailong to create all the functionality of the claimed service delivery element. Frailong also refers to the remote management server, which is separate from the gateway interface device and the client

network, for teaching the security function found in the claims. Even though Willars discloses the service delivery element, i.e. Frailong's gateway interface device, as being internal to the communications network, Frailong and Willars still disperses the functions of the claimed delivery element into different devices. Thus, claims 1 and 22 claims a single device internal to the network that provides for a feature server being external to the network where the service delivery element recognizes, negotiates security levels and manages access for the feature server into the communication network.

Because of the difference perspective of Frailong, Applicants earlier statements regarding the fundamental differences between the claims and the cited references still apply. Frailong discloses how to access the network from the user's perspective while the present invention discloses how a device connects to the network from the service-accessibly-by-the-user's perspective. Willars cannot overcome the difference of perspective and what is therefore taught by Frailong.

Moreover, the claimed service delivery element implements a secure interface to expand the services available to the subscriber by providing a secure link to a feature server that is external to the communication network. Accordingly, services can be transparently added to the communications network from the user's perspective by using the claimed service delivery element and its secure external interface. The only examples Frailong provides regarding adding services investigate the configuration of a client device or upgrade the data of the client device. To accomplish these services, a user implementing Frailong's invention needs to implement the authentication methods to obtain transport access. Frailong, however, does not provide information on how to provide the secure access to the feature server as provided by the present invention. A reference, i.e. Willars, that discloses how the service delivery element is known to be internal to the communication network, is not sufficient to overcome this discrepancy found in Frailong. The mere movement of Frailong's gateway interface device internally to the communication network does not also disclose the secure access to the feature services as required by the claims.

Applicant continues to assert that Frailong, and now Frailong and Willars, does not disclose, teach or otherwise suggest the service delivery element of the present invention having the embedded security layer. Frailong discloses the remote

management server which contains security information such as passwords and encryption keys. Frailong and Willars do not embed these features into a security layer of the service delivery element even though Willars discloses the service delivery element being internal to the communication network. The claims provide for a unitary device within the network to provide secure access to a feature server that is external to the network thereby expanding the capabilities of the network, which is not disclosed by the cited combination.

In view of the foregoing, Applicants respectfully submit that the cited combination of Frailong and Willars does not disclose, teach or otherwise suggest the invention claimed in claims 1 and 22. Applicants therefore respectfully submit that claims 1 and 22 are patentable over the cited references. As claims 2-12 and 14-21 depend upon claim 1 and claims 23-38 depend upon claim 22 and include the limitations of the independent claims, Applicants also submit that these dependent claims are also patentable over Frailong and Willars. Applicant requests that the rejection under Section 103(a) be withdrawn.

As the Applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the Applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Please charge any fees associated herewith, including extension of time fees, to **50-2117**.

Respectfully submitted,
Banks, Robert et al.

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department

Customer Number: **22917**

By: /Simon B. Anolick/

Simon B. Anolick
Attorney for Applicant
Registration No.: 37,585
Telephone: 847-576-4234
Fax: 847-576-3750